

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

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LAURA NEAL, as Special Administratrix of  
the Estate of Larance Hill, deceased,

Plaintiff,

v.

OKMULGEE COUNTY CRIMINAL  
JUSTICE AUTHORITY,  
DETENTION OFFICER IVY,  
CAPTAIN NORWOOD,  
DETENTION OFFICER GWINE, and  
DOES 1-5,

Defendants.

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Case No. CIV-24-294-RAW-GLJ

**ORDER**

Before the court are Defendant Captain Norwood's motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) [Docket No. 22], Plaintiff's response thereto [Docket No. 35], Captain Norwood's reply [Docket No. 38], and the Report and Recommendation (R&R) filed by United States Magistrate Judge Jackson [Docket No. 40]. Magistrate Judge Jackson recommends that Captain Norwood's motion be granted and Plaintiff be given leave to file an Amended Complaint within 14 days. No objection to the R&R has been filed.

After a *de novo* review, the court determines that the R&R is well-supported by the evidence and the prevailing legal authority. As stated by Magistrate Judge Jackson, Plaintiff has alleged no facts indicating, *inter alia*, that Captain Norwood interacted with Larance Hill, that Captain Norwood observed Larance Hill having seizures or his condition deteriorating, or that anyone attempted to bring Larance Hill's condition to Captain Norwood's attention.

The R&R [Docket No. 40] is hereby affirmed and adopted as this court's Findings and Order. Accordingly, Captain Norwood's motion to dismiss [Docket No. 22] is hereby GRANTED. Plaintiff is granted leave to file an Amended Complaint **with respect to the factual allegations as to Defendant Norwood only**, within 14 days of the entry of this Order. **A redline version of the Amended Complaint shall be attached as Exhibit One to the Amended Complaint.**

Also before the court is the R&R by Magistrate Judge Jackson recommending that the Defendants Does 1-5 be dismissed for failure to prosecute in light of Plaintiff's response to the Show Cause Order indicating she does not seek additional time to serve Does 1-5 [Docket No. 45]. No objections have been filed. The R&R [Docket No. 45] is hereby affirmed and adopted as this court's Findings and Order. Defendants Does 1-5 are hereby DISMISSED.

**IT IS SO ORDERED** this 7<sup>th</sup> day of February, 2025.



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**THE HONORABLE RONALD A. WHITE  
UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF OKLAHOMA**